

REMARKS/ARGUMENTS

Favorable reconsideration of this application for the reasons noted hereinafter is respectfully requested.

Claims 1-3 and 5-28 are pending in this application.

In the outstanding Office Action, Claims 1-3 and 5-28 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kragt et al. (U.S. Patent Publication No. 2007/0100755; hereinafter “Kragt”) in view of Sako et al. (U.S. Patent Publication No. 2004/0081044; hereinafter “Sako”).

In response to the rejection of Claims 1-3 and 5-28 under 35 U.S.C. § 103(a) as unpatentable over Kragt in view of Sako, Applicants respectfully request reconsideration of the rejection and traverse the rejection as discussed next.

Independent Claim 1 is directed to a content reproduction apparatus including:

...a storage section used for storing a source-ID list showing a source ID of every content allowed to be reproduced, a recorder ID number, and method identification information each used for identifying a method of controlling reproduction of each content, said source ID includes said recorder ID number, that is generated as an ID unique to each content-processing apparatus having a ripping section for ripping out a content from a recording medium;

a reproduction control method determination section for determining a method of controlling reproduction of a content on the basis of said method identification information;

a first reproducibility determination section, which is used for producing a result of determination as to whether or not the content to be reproduced is reproducible by determining whether or not a source ID added to said content is a source ID included in said source-ID list in a case that said reproduction control method determination section determines that said method to control reproduction of the content is a first reproduction control method;

a second reproducibility determination section, which is used for producing a result of determination as to whether or not the content to be reproduced is reproducible on the basis of usage rule information described in a license issued

to said content in a case that said reproduction control method determination section determines that said method to control reproduction of the content is a second reproduction control method; and

a reproduction execution section for reproducing the content with its source ID determined by said determination result produced by said first reproducibility determination section or said second reproducibility determination section to be the reproducible content.

Independent Claims 16 and 18, although directed towards different statutory classes and having varying claim scope, recite substantially similar features as independent Claim 1. Thus, the arguments presented below with respect to independent Claim 1 are also applicable to independent Claims 16 and 28.

By way of background, a non-limiting embodiment of Applicants' invention at page 39, line 11 to page 41, line 6 describes that:

...the source ID is an identifier assigned to every content source as an identifier unique to the content source. By assigning a source ID to a content, the source of the content distributed in the content-sharing system 100 can be identified.

In the case of the embodiment, examples of the source ID are a recorder ID or a group ID. The recorder ID is a source ID used for a case in which the source of a content is a content-processing apparatus 10. The group ID is a source ID used for a case in which the source of a content is a user.

Thus, a recorder ID is an identifier assigned to each content-processing apparatus 10 (PC) or the like having a content-ripping function as an identifier unique to the content-processing apparatus 10. The recorder ID is generated by the content-processing apparatus 10 having a content-ripping function on the basis of the equipment ID of the content-processing apparatus 10, and stored in the content-processing apparatus 10 with a high degree of safety. When the content-processing apparatus 10 rips off a content from a removable recording medium such as a musical CD, the content-processing apparatus 10 adds the recorder ID generated by the content-processing apparatus 10 itself to the ripped-off content, which is referred to hereafter as a ripping content. Thus, the recorder ID added to a content can be used for identifying the content-processing apparatus 10, which serves as the source of the content.

A group ID is thus an identifier assigned to every user owning a content-processing apparatus 10 and/or a content reproduction apparatus 20 as an identifier unique to the user. To put it concretely, the group ID is an identifier assigned each user account of a content-sharing service rendered by the content-sharing system 100 according to the embodiment. Thus, the group ID can be used for identifying an equipment group to which a content-processing apparatus 10 and/or a content reproduction apparatus 20 pertain and identifying the owner of the content-processing apparatus 10 and/or the content reproduction apparatus 20.

Turning now to the applied references, Kragt is directed to a display interface for content rendering and/or recording devices and, more particularly, to icons for identifying digital rights management protected content accessibility and entitlements within display interfaces for content rendering and/or recording devices.¹ In Kragt the content access system displays a set of display items representing content items protected by a number of different digital rights management systems. The icons indicate whether a respective content item is protected by a digital rights management system and, if so, which digital rights management system is employed to protect the respective content item.² Thus, Kragt is directed to the display of a user interface that indicates whether contents are protected by a digital rights management scheme.

Applicants respectfully submit that Kragt fails to teach or suggest a content reproduction apparatus including “*a storage section used for storing a source-ID list showing a source ID of every content allowed to be reproduced, a recorder ID number, and method identification information each used for identifying a method of controlling reproduction of each content, said source ID list includes said recorder ID number, that is generated as an ID unique to each content-processing apparatus having a ripping section for ripping out a content from a recording medium,*” as recited in Claim 1.

¹ See paragraph [0001] of Kragt.

² See Kragt at paragraph [0005].

Pages 2-3 of the outstanding Office Action asserts that paragraph [0019] of Kragt describes the above features of Claim 1. Applicants respectfully disagree. Figure 2 of Kragt shows a display which displays a content portion 200 that includes a tabular listing of a set of content items 201a-201c. Icons 204 are associated with each protected content item 201a-201b and identify a particular digital rights management system employed to protect the respective content item. However, Applicants respectfully submit that the *icons* 204 that ***indicate a particular digital rights management system*** employed to protect the content items is not ***a source ID list showing a source ID (including a recorder ID number) of every content allowed to be reproduced***. In Kragt, the icon 204 merely indicates what digital rights management system is employed on a particular content item, but does not indicate the *source* of the particular content, i.e. where the content has come from. That is, in Kragt, the icon 204 does not show the source of the content, but merely describes how the content is encrypted. In other words, the icon 204 in no way indicates the source of the content. Lastly, Figure 2 of Kragt merely shows the display of a plurality of icons, but does not describe a ***storage section*** storing a source ID *list*.

Applicants also respectfully submit that Kragt fails to teach or suggest “a first reproducibility determination section, which is used for producing the result of a determination as to whether or not the content to be reproduced is reproducible by determining whether or not a source ID added to said content is a source ID included in said source-ID list ***in the case that said reproduction control method determination section determines that said method to control reproduction of the content is a first reproduction control method,***” as recited in Claim 1.

In Applicants Claim 1, when it was determined by the reproduction control method determination section that the method which controls reproduction of the content ***is a first reproduction control method***, it is then determined whether or not the content is reproducible

by determining whether or not the source ID added to the content is a source ID included in the source ID list. Kragt merely describes displaying icons 204 which indicate if a particular content is protected by digital rights management system. Kragt does not describe that the icon 204, asserted to be equivalent to Applicants "source ID," is compared with a source ID included in a source ID list in a storage section of a content reproduction apparatus, when a reproduction control method determination section determines that the method to control reproduction of the content is a first reproduction control method.

Applicants respectfully submits that Kragt also fails to teach or suggest "a second reproducibility determination section, which is used for producing a result of determination as to whether or not the content to be reproduced is reproducible on the basis of *usage rule information described in a license* issued to said content *in a case that* said reproduction control method determination section determines that said method to control reproduction of the content is *a second reproduction control method*," as recited in Claim 1. Page 3 of the outstanding Office Action asserts that paragraphs [0023] and [0031] of Kragt describes this feature. Applicants respectfully disagree.

Paragraph [0023] of Kragt describes:

Icons 205 associated with each protected content item 201a-201b indicate whether the current user is entitled to access the respective content item. In the example shown, a graphical image of a conventional "play" button (i.e., a rectangle with a right-pointing triangle therein) is employed for icons 205, with variation of the icon characteristics, such as a green or shaded triangle rather than a red or unshaded triangle, indicating whether the current user has rights to access the respective content item 201a-201b. In the example shown, the user is indicated to have rights to access item 201b but not item 201a.

Paragraph [0031] of Kragt states:

FIG. 4 is a high level flow chart for a process of generating user interface display content for a content access system within which protected content items are identified and information relating to such items is conveyed by icons according to one embodiment of the present invention. The process 400 begins

with receipt of a display request (step 401). The set of content items to be displayed is first determined (step 402), then protected content items are identified (step 403). Each protected content item is selected in turn and the associated digital rights management system is identified (step 404), the availability of the requisite digital rights management system is determined (step 405), and the requesting user's access rights to the item are determined (step 406). As long as individual protected content items remain to be processed (step 407). A display containing text or images (or both) representing the content items, together with icons as necessary to identify individual protected content items, the digital rights management system protecting the respective items, availability of digital rights management module(s) for accessing the protected content items, and the user's access rights, is then generated (step 408). If one of the icons is actuated (step 409), the appropriate information is displayed or download of the requisite digital rights management module and/or acquisition of access rights is initiated (step 410).

Thus, paragraph [0023] of Kragt merely describes that the icons 205 associated with each protected content item 201a-201b indicate whether a user is entitled to access the respective content item. Paragraph [0031] of Kragt merely describes Figure 4 which is a high level flow chart for a process of generating user interfaces for a content access system. These paragraphs does not describe that when a reproduction control method determination section determines that the method to control reproduction content is a second reproduction control method, that a second reproducibility determination section determines whether or not a content is reproducible on the basis of usage or information described in ***a license issued to the content***. In fact, paragraphs [0023] and [0031] of Kragt does not describe a license at all.

Hence, Kragt fails to teach or suggest Applicants' claimed "first reproducibility determination section" and "second reproducibility determination section," and determining whether or not a method to control reproduction of the content is a first or second reproduction control method.

Applicants respectfully submit that independent Claims 1, 16, and 28 (and all claims depending thereon) patentably distinguish over Kragt. Further, Applicants respectfully submit that Sako fails to cure any of the above-noted deficiencies of Kragt.

In regard to dependent Claim 2, Claim 2 recites that “said *source ID includes a group ID* generated as an ID unique to each of users registered in a group management server.” In a non-limiting embodiment, Applicants’ figure 8 shows a source ID list L including a group ID-A and Recorder ID1 and Recorder ID2. Thus, Claim 2 indicates that the source ID list includes source IDs that could be a recorder ID number or a group ID. As discussed above in regard to Claim 1, the asserted source ID list in Kragt is a plurality of icons, but does include a recorder ID *number and a group ID*, the group ID being generated as an ID unique to each of the users registered in a group management server.

Thus, Applicants respectfully submit that Claim 2 is patentable.

Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. § 103(a) be withdrawn.

Consequently, in view of the above comments, it is respectfully submitted that the outstanding ground for rejection has been overcome and that Claims 1-3 and 5-28 patentably define over the prior art. Claims 1-3 and 5-28 are therefore believed to be in condition for allowance, and an early and favorable action to that effect is respectfully requested.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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